



10/21/08

DOCKET NO.: P0453.70116US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sanghvi et al.
Serial No.: 10/821,809
Confirmation No.: 9063
Filed: April 8, 2004
For: COMBINATION THERAPY FOR CONSTIPATION
Examiner: Phyllis G. Spivack
Art Unit: 1614

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 17th day of January, 2008.

Eileen M. Flaherty
Eileen M. Flaherty

MAIL STOP AMENDMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Information Disclosure Statement
- PTO Form 1449 with cited references
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check in the amount of \$180.00 is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:

Zoran Z. Zdraveski
Zoran Z. Zdraveski, Ph.D., Reg. No.: L0374
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: P0453.70116US01
Date: January 17, 2008
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MAIL STOP AMENDMENT

Commissioner for Patents
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STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office action, but before the mailing date of any final action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

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Serial No.: 10/821,809
Conf. No.: 9063

- 2 -

Art Unit: 1614

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the enclosed search report or other communication from a corresponding International or Foreign National Application.

<u>Serial No.</u>	<u>Mailing Date</u>	<u>Type of Communication</u>	<u>Docket No.</u>
PCT/US2004/010998	October 27, 2005	International Preliminary Report on Patentability	P0453.70116WO00

The Applicant would like to bring to the Examiner's attention the enclosed Office Actions (copies enclosed) from related U.S. applications:

<u>Serial No.</u>	<u>Mailing Date</u>	<u>Type of Communication</u>	<u>Docket No.</u>
10/779128	December 6, 2006	Office Action	P0453.70113US01
10/785320	December 5, 2006	Office Action	P0453.70113US03
10/785668	December 5, 2006	Office Action	P0453.70113US04
11/336418	July 13, 2007	Office Action	P0453.70122US01
10/779129	November 13, 2007	Office Action	P0453.70110US01
10/821813	September 14, 2007	Office Action	P0453.70112US01
10/778268	December 7, 2006	Office Action	P0453.70113US02

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

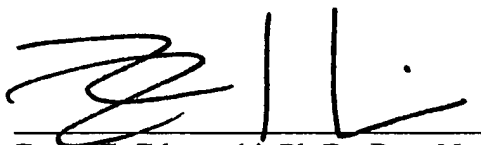
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By:



Zoran Z. Zdraveski, Ph.D., Reg. No. L0374
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